THE

MASSACRE

OF

GLENCO.

BEING A

True Narrative

OF THE

Barbarous Murther of the *GLENCO-MEN*, in the Highlands of *Scotland*, by way of Military Execution, on the 13th of *Feb* 1692.

CONTAINING

The Commiſſion under the Great Seal of *Scotland*, for making an Enquiry into that Horrid Murther: The Proceedings of the Parliament of *Scotland* upon it: The Report of the Commiſſioners upon the Enquiry, laid before the King and Parliament. And the Addreſs of the Parliament to King *WILLIAM* for Juſtice upon the Murderers.

Faithfully extracted from the Records of Parliament.

And publiſh'd for undeceiving thoſe who have been impos'd upon by falſe ACCOUNTS.

LONDON,

Printed, and Sold by B. Bragg, at the *Blue-Ball* in *Ave-Mary-Lane*, 1703.

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LONDON,

Printed, and Sold by J. Nutt, near the Blue-Bull in

SIR,

IN *Answer to yours of the first of* October, *I herewith send you from the Records of our Parliament, a true and authentick Account of the Massacre of* Glenco, *as you righteously call it. I wish this Matter could have been forgotten to Eternity; but since you say it is altogether needful for the Vindication of the Justice of our Country, against many false, slanderous Accounts that are daily given of that Business in* England, *I am willing you print what I now send you; and that you may be furnish'd to answer all Objections against the Truth of this* Narrative, *you may inform any English Man of Quality, that is willing to be satisfied in the Matter, that the Report of the Commission, the Address of our Parliament herewith sent you, and the Duplicates of the Lord* Stair's *Letters, are, or were at least in the* Scots *Secretaries Office at* London: *Or, if they should happen to be withdrawn from thence, they may inform themselves fully in the Truth of this from Mr.* Johnston, *who was at that time Secretary of State for* Scotland; *and had particular Directions from the late Queen* Mary *to push on this Enquiry, and search into the bottom of that horrid Murder; for Her Majesty was grieved at the Heart, that the Reputation of the King Her Husband should have suffer'd so much by that Affair. I would not, however, that Mr.* Johnston *should know any thing of your Design to publish this; for, tho' you know as well as I, that his Diligence to serve and obey the Queen in this Matter, was always judg'd here to be one of the chief Causes of our Nations losing that able and honest Minister; yet he is so Nice in Point of Honour, that he chused rather to be unjust to himself, and to lie under Imputations, than to give any part of those Papers to*

be publiſh'd, tho' frequently urg'd to it, becauſe he ſaid it would be undecent in him, that had once been his Majeſty's Secretary, to do any ſuch thing. Therefore, tho' you are carefully to conceal this Matter from him till it be publiſh'd, yet as ſoon as it is, I muſt pray you, if you think it proper, to go and tell him, that I beg his Pardon for making this Appeal to him, without his leave: And tho' I may ſuffer in his good Opinion by what I have done, yet if this Publication may any ways oblige him to do Himſelf, his late Maſter, and his Country further Juſtice, by telling what he knows more of the Matter, I ſhall be the eaſier under his Diſpleaſure. I had almoſt forgot to Notice, That the Duke of Athol, *the Lord Chancellor, and Marquis of* Annandale, *all now at* London, *were Members of the Commiſſion, who made the incloſed Report; and howſoever ſcrupulous they may have been in Point of Honour, to communicate any Papers relating to this Matter, they cannot in Honour but own that this Hiſtory is Authentick, if any of the Engliſh Nobility think fit to enquire at them about it; but you muſt be careful to let none of them know any thing of your Deſign to publiſh it, or which way you have this Information; tho', if they ſhould come to know it, I chuſe rather to incur their Diſpleaſure, by appealing to them, than to omit any thing that lies in my Power, to vindicate the Honour and Juſtice of our Country.*

Edinburgh,
Nov. 1. 1703.

Com-

Commiſſion for Trial of the Slaughter committed at Glenco, *upon the* 13*th Day of* February 1692.

GUlielmus Dei Gr. Mag. Brit. *&c.* Omnibus probis hominibus, ad quos præſentes Literæ noſtræ pervenerint, ſalutem. Quandoquidem nos conſiderantes, quod etiamſi nos, Anno Dom. 1693. per expreſſam Inſtructionem, poteſtatem conceſſimus demortuo Gulielmo Duci de Hamilton, aliiſque, pro examinando & inquirendo de cæde quorundam Cognominis de Macdonald aliorumque de Glenco, An. Dom. 1692, & de modo & de methodo Commiſſionis ejuſdem, Nihilominus Inquiſitio quæ tunc facta erat in proſecutione dictæ Inſtructionis defectiva erat, noſque etiam perpendentes, quod Methodus Maxime efficax pro plena Informatione accipienda de veris Circumſtantiis Rei antedictæ, erit Commiſſio in hunc effectum, cumque Nobis abunde ſatisfactum ſit de facultatibus & aptitudine perſonarum Infra nominatarum in fines ſupra expreſſos; Sciatis igitur nos Nominaſſe & Conſtituiſſe tenoreque preſentium nominare & conſtituere fideliſſimos & dilectiſſimos Noſtros Conſanguineos & Conſiliarios, Joannem Marchionem de Tweddale ſupremum Noſtrum Cancellarium, & Guliel. Comit. d'Annandale & fideles & dilectos Noſtros Conſiliarios Joannem Dominum Murray, Dom. Jacobum Stuart, Advocatum Noſtrum, Adamum Cockburn de Ormiſton noſtrum Juſtitiarium Clericum, Magiſtrum Archib. Hope de Rankeiller & Dom. Guliel. Hamilton de Whitelaw Senatores Noſtri Collegii Juſtitiæ, Dom. Jacob. Ogilvy Sollicitatorem

rem Noſtrum & Adamum Drummond de Meggins (quorum quinque Numerus erit legittimus ac cum poteſtate iis Clericum ſuum eligendi) Commiſſionarios Noſtros pro capienda precognitione & Inquiſitionem faciendo de Cæde prædicta, per quos & quomodo, & per quam Coloratam Authoritatem Commiſſa erat, atque in ordine ad detectionem ejuſdem cum poteſtate dictis Commiſſionariis, requirendi omnia Warranta ſeu directiones quæ eatenus conceſſa fuere, atque etiam examinandi omnes perſonas, quæ in re antedicta Negotium habuere atque etiam Teſtes prout Neceſſarium Invenietur, ſive per eorum Juramenta, ſive Declarationes, & tunc poſtea dicti Commiſſionarii Nobis tranſmittent Verum ſtatum rei antedictæ una cum Probationibus & Teſtimoniis coram ipſis adducendis, uti poſt debitam & plenam Informationem, neceſſarias Directiones, eatenus Concedamus prout Nobis Congruum videbitur. In cujus Rei Teſtimonium, preſentibus, Magnum ſigillum Noſtrum appendi Mandavimus apud Aulam Noſtram de Kenſington, Vigeſimo Nono die Menſis Aprilis, Anno Domini Mileſimo Sexcenteſimo Nonageſimo quinto, Annoque Regni Noſtri Septimo.

Per Signaturam Manu. *S. D. N.* Regis Supraſcriptam.

Written to the Great Seal and Reg. May 20. 1665.

Don. Rannald, *Deput.*

Sealed at Edinburgh, May 20. 1695.

Jo. Dickſone.

In

In *English* thus:

WIlliam *by the Grace of God King of* Great Britain, *&c. To all good Men to whom these Presents shall come Greeting. Whereas we have taken into Consideration, that tho' in the Year of our Lord* 1693, *We gave Power by express Instructions, to* William *Duke of* Hamilton *deceased, and others, to Examine and Enquire into the Slaughter of certain People of the Name of* Macdonald *and others in* Glenco, *in the Year* 1692, *and into the Way and Manner how the same was committed; yet, nevertheless, the Inquiry then made, pursuant to the said Instructions, was defective; and considering likewise, that the most effectual Method for receiving full Information of the true Circumstances of the Matter aforesaid, must be by a Commission to that Effect; and being very well satisfied of the Abilities and Fitness of the Persons under nam'd, for the Ends above express'd, Know ye therefore that We have nam'd and constituted, and by the Tenor of these, Presents do name and constitute, our Right trusty and well beloved Cousin and Councellor,* John *Marquis of* Tweddale, *our High Chancellor, and* William *Earl of* Anandale, *and our trusty and beloved Councellors* John *Lord* Murray, *Sir* James Stuart *our Advocate,* Adam Cockburn *of* Ormiston *our Justice Clerk, Mr.* Archbald Hope *of* Rankeiller, *and Sir* William Hamilton *of* Whitelaw, *Senators of our College of Justice, Sir* James Ogilvy *our Solicitor, and* Adam Drummond *of* Meggins *(of whom five shall be a* Quorum *and granting them Power to chuse their own Clerk) our Commissioners, to take Precognition and make Inquiry into the Slaughter aforesaid, by whom, and how, and by what Colour of Authority, the same was committed: And in order to the discovery of the same, We give Power to the said Commissioners to send for all Warrants and Directions, granted for that End; and likewise to examine all Persons, that had any hand in the Business aforesaid, and likewise*

wiſe to examine Witneſſes as ſhall be found neceſſary, either upon Oath or Declaration, and afterwards the ſaid Commiſſioners ſhall tranſmit to us, the true State of the Matter aforeſaid, together with the Proofs and Evidence that ſhall be brought before them, that after due and full Information, We may give ſuch Directions thereupon, as to us ſhall ſeem meet and neceſſary. In Teſtimony whereof, we have commanded Our Great Seal to be appended to theſe Preſents.

Given at our Court of *Kenſington*, the 29th Day of *April* 1695, and of our Reign the Seventh.

Superſcrib'd by the Signature of the Hand-writing of our moſt Serene Lord the KING.

Written to the Great Seal, and Regiſtred the 20th *Day of* May, 1695.

Don. Rannald, *Deput.*

Sealed at Edinburgh, May 20. 1695.

Jo. Dickſone.

UPon the 23d of *May* 1695, this Commiſſion was read in Parliament, and the Houſe voted *Nemine Contradicente*, That his Majeſty's High Commiſſioner tranſmit the humble Thanks of the Parliament to his Majeſty, for ordering an Enquiry into that Matter, whereby the Honour and Juſtice of the Nation might be vindicated.

It being urg'd that the Commiſſion ſhould proceed with Diligence, as being a National Concern, and that the Diſcovery be made known to the Houſe before its Adjournment. His Grace aſſur'd them, that he doubted not of his Majeſty's giving Satisfaction to his Parliament in that Point, and that before they parted.

The Commiſſioners proceeded according to Order, and made the following Report.

Report

Report of the Commiſſion given by His Majeſty, for enquiring into the Slaughter of the Men of GLENCO, *ſubſcrib'd at* Halyrud-Houſe *the 20th Day of* June, 1693.

JOHN Marquis of *Tweddale*, Lord High Chancellor of *Scotland*, *William* Earl of *Annandail*, *John* Lord *Murray*, Sir *James Stuart* his Majeſty's Advocate, *Adam Cockburn* of *Ormiſtoun* Lord Juſtice Clerk, Sir *Archbald Hope* of *Rankeilor*, and Sir *William Hamilton* of *Whitlaw*, two of the Senators of the College of Juſtice, Sir *James Ogilvy* his Majeſty's Solicitor, and *Adam Drummond* of *Megginſh*, Commiſſioners appointed by his Majeſty, by his Commiſſion under the great Seal of the Date the 29th of *April* laſt, to make Enquiry and to take Trial and Precognition about the Slaughter of ſeveral Perſons of the Sirname of *Macdonald* and others in *Glenco*, in the Year 1692, by whom and in what manner, and by what pretended Authority the ſame was committed, with Power to call for all Warrants and Directions given in that Matter; as alſo to examine all Perſons who had a hand therein, with what Witneſſes they ſhould find neceſſary either upon Oath or Declaration, and to report to his Majeſty the true State of the ſaid Matter, with the Evidence and Teſtimonies to be adduc'd before them, as the ſaid Commiſſion more amply bears. Having met and qualified themſelves by taking the Oath of Allegiance and Aſſurance, conform to the Act of Parliament, with the Oath *de Fideli*, as uſe is in ſuch Caſes, did, according to the Power given to them, chuſe Mr. *Alexander Monro* of *Beircroft* to be their Clerk, and he having

alſo qualified himſelf as above, they proceeded into the ſaid Enquiry, to call for all Warrants and Directions, with all ſuch Perſons as Witneſſes that might give Light in the ſaid Matter; and having conſider'd the foreſaid Warrants and Directions produc'd before them, and taken the Oaths and Depoſitions of the Witneſſes under-nam'd, they with all ſubmiſſion lay the Report of the whole Diſcovery made by them before his Majeſty in the order following. And, *Firſt*, of ſome things that preceded the ſaid Slaughter; *Secondly*, Of the Matter of Fact, with the Proofs and Evidence taken, when and in what manner the ſame was committed. *Thirdly*, Of the Warrants and Directions that either really were or were pretended for the committing it. And, *Laſtly*, the Commiſſioners humble Opinion of the true State and Account of that whole Buſineſs.

The Things to be remark'd preceding the ſaid Slaughter were, That it's certain that the Lairds of *Glenco* and *Auchintriaten* and their Followers, were in the Inſurrection and Rebellion made by ſome of the Highland Clans under the command firſt of the Viſcount of *Dundee*, and then of Major-Gen. *Buchan* in the Years 1689 and 1690. This is acknowledg'd by all. But when the Earl of *Braidalbine* called the Heads of the Clans and met with them in *Auchallader* in *July* 1691, in order to a Ceſſation, the deceas'd *Alexander Macdonald* of *Glenco* was there with *Glengary*, Sir *John Maclene* and others, and agreed to the Ceſſation, as it is alſo acknowledg'd: But the deceas'd *Glenco*'s two Sons, who were at that time with their Father in the Town of *Auchallader*, depone that they heard that the Earl of *Braidalbin* did at that time quarrel with the deceaſed *Glenco* about ſome Cows that the Earl alledg'd were ſtolen from his Men by *Glenco*'s Men; and that tho' they were not preſent to hear the Words, yet their Father told them of the Challenge; and the two Sons with *Ronald Macdonald*, Indweller in *Glenco*, and *Ronald Macdonald* in *Innerwiggin* in *Glenco*, do all depone, That they heard the deceas'd

ceas'd *Glenco* ſay, that the Earl of *Braidalbin* at the Meeting of *Auchallader* threaten'd to do him a miſchief, and that he fear'd a miſchief from no Man ſo much as from the Earl of *Braidalbin*, as their Depoſitions at the Letter A in the Margin bears. And *Alex. Macdonald*, 2d Son to the deceas'd *Glenco*, doth farther depone, That he hath often heard from his Father and others, that there had been in former times Blood betwixt *Braidalbin*'s Family and their Clan, as his Depoſition at the ſame mark bears. And here the Commiſſioners cannot but take notice of what hath occurr'd to them in two Letters from Secretary *Stair*, to Lieutenant-Colonel *Hamilton*, one of the 1ſt, and another of the 3d of *December*, 1691, wherein he expreſſes his Reſentment from the marring of the Bargain that ſhould have been betwixt the Earl of *Braidalbin* and the Highlanders to a very great hight, charging ſome for their deſpite againſt him, as if it had been the only hinderance of that Settlement: Whence he goes on in his of the 3d of *Decemb.* to ſay, That ſince the Government cannot oblige them, it is oblig'd to ruine ſome of them to weaken and frighten the reſt, and that the *Macdonald*'s will fall in this Net. And, in effect, ſeems even from that time, which was almoſt a Month before the expiring of the King's Indemnity, to project with Lieutenant-Colonel *Hamilton*, that ſome of them ſhould be rooted out and deſtroy'd. His Majeſty's Proclamation of Indemnity was publiſh'd in *Aug.* 1691, offering a free Indemnity and Pardon to all the Highlanders who had been in Arms, upon their coming in and taking the Oath of Allegiance betwixt and the firſt of *January* thereafter: And in compliance with the Proclamation, the deceas'd *Glenco* goes about the end of *Decemb.* 1691 to Col. *Hill*, Governor of *Fort-William* at *Inverlochie*, and deſir'd the Colonel to miniſter to him the Oath of Allegiance, that he might have the King's Indemnity: But Col. *Hill* in his Depoſition, mark'd with the Letter B. doth farther depone, That he haſten'd him away all he could,

and gave him a Letter to *Ardkinlas* to receive him as a loſt Sheep, and the Colonel produces *Ardkinlas's* Anſwer to that Letter, dated the 9th of *January* 1691, bearing, that he had indeavoured to receive the great loſt Sheep *Glenco*, and that *Glenco* had undertaken to bring in all his Friends and Followers as the Privy-Council ſhould order, and *Ardkinlas* farther writes, that he was ſending to *Edinburgh* that *Glenco*, tho' he had miſtaken in coming to Colonel *Hill* to take the Oath of Allegiance, might yet be welcome, and that thereafter the Col. ſhould take care that *Glenco's* Friends and Followers may not ſuffer, till the King and Councils Pleaſure be known, as the ſaid Letter mark'd on the back with the Letter B bears, and *Glenco's* two Sons above-nam'd do depone in the ſame manner, That their Father went about the end of *December* to Colonel *Hill*, to take the Oath of Allegiance, but finding his miſtake, and getting the Colonel's Letter to *Ardkinlas*, he haſted to *Inverary* as ſoon as he could for the bad Way and Weather, and did not ſo much as go to his own Houſe in his way to *Inverary*, tho' he paſt within half a Mile of it, as both their Depoſitions at the Letter B bears, and *John Mac-Donald*, the eldeſt Son, depones farther at the ſame mark, That his Father was taken in his way by Captain *Drumond* at *Barkaldin*, and detain'd 24 Hours.

Sir *Colin Campbel*, of *Ardkinlas*, Sherif-Deput of *Argyle*, depones, That the Deceas'd *Glenco* came to *Inverary* about the beginning of *January* 1692, with a Letter from Colonel *Hill* to the effect above-mentioned, and was three Days there before *Ardkinlas* could get thither, becauſe of bad Weather; and that *Glenco* ſaid to him, That he had not come ſooner, becauſe he was hinder'd by the Storm; and *Ardkinlas* farther depones, That when he declin'd to give the Oath of Allegiance to *Glenco*, becauſe the laſt of *December*, the time appointed for the taking of it, was paſt, *Glenco* begg'd with Tears that he might be admitted

to

to take it, and promis'd to bring in all his People within a ſhort time to do the like, and if any of them refuſed, they ſhould be impriſoned or ſent to *Flanders*: Upon which *Ardkinlas* ſays, He did adminiſter to him the Oath of Allegiance upon the 6th of *January* 1692, and ſent a Certificate thereof to *Edinburgh*, with Colonel *Hill*'s Letter, to *Colin Campbel*, Sheriff Clerk of *Argyle*, who was then at *Edinburgh*, and further wrote to the ſaid *Colin* that he ſhould write back to him, whither *Glenco*'s taking of the Oath was allow'd by the Council or not, as *Ardkinlas*'s Depoſition at the Letter B teſtifies, and the ſaid *Colin*, Sherif Clerk, depones, That the foreſaid Letters, and the Certificate relating to *Glenco*, with ſome other Certificates relating to ſome other Perſons, all upon one Paper, were ſent in to him to *Edinburgh* by *Ardkinlas*; which Paper being produc'd upon Oath by Sir *Gilbert Elliot*, Clerk of the Secret Council, but rolled and ſcor'd, as to *Glenco*'s Part, and his taking the Oath of Allegiance, yet the Commiſſioners found that it was not ſo delete or daſhed, but that it may be read that *Glenco* did take the Oath of Allegiance at *Inverary* the 6th Day of *January* 1692, and the ſaid *Colin Campbel* depones, That it came to his Hand fairly written, and not daſh'd, and that with this Certificate he had the ſaid Letter from *Ardkinlas* (with Colonel *Hill*'s abovementioned Letter to *Ardkinlas* incloſed) bearing how earneſt *Glenco* was to take the Oath of Allegiance, and that he had taken it upon the 6th of *January*, but that *Ardkinlas* was doubtful if that the Council would receive it, and the Sheriff Clerk did produce before the Commiſſioners the foreſaid Letter by Colonel *Hill* to *Ardkinlas*, dated at Fort *William* the 31ſt Day of *Decemb.* 1691, and bearing that *Glenco* had been with him, but ſlipp'd ſome Days out of Ignorance, yet that it was good to bring in a loſt Sheep at any time, and would be an Advantage to render the King's Government eaſie, and with the ſaid Sherif Clerk, the Lord *Aberuchil*, Mr. *John Campbel*, Writer to the Signet,

Signet, and Sir *Gilbert Elliot*, Clerk to the Council, do all declare that *Glenco*'s taking the Oath of Allegiance, with *Ardkinlas* his foresaid Certificate, as to his Part of it, did come to *Edinburgh*, and was seen by them fairly written, and not scor'd or dash'd; but that Sir *Gilbert* and the other Clerk of the Council refused to take it in, because done after the Day appointed by the Proclamation. Whereupon the said *Colin Campbel*, and Mr. *John Campbel*, went, as they depone, to the Lord *Aberuchil*, then a Privy-Councellor, and desir'd him to take the Advice of Privy-Councellors about it, and accordingly they affirm that *Aberuchil* said he had spoke to several Privy-Councellors, and partly to the Lord *Stairs*; and that it was their Opinion that the foresaid Certificate could not be receiv'd without a Warrand from the King, and that it would neither be safe to *Ardkinlas*, nor profitable to *Glenco*, to give in the Certificate to the Clerk of the Council; and this the Lord *Aberuchil* confirms by his Deposition, but doth not name therein the Lord *Stair*; and *Colin Campbel*, the Sheriff-Clerk, does farther depone, That with the knowledge of the Lord *Aberuchil*, Mr. *John Campbell*, and Mr. *David Moncrief*, Clerk to the Council, he did by himself, or his Servant, score or delete the foresaid Certificate, as now it stands scor'd, as to *Glenco*'s taking the Oath of Allegiance, and that he gave it in so scor'd or obliterat to the said Mr. *David Moncrief*, Clerk of the Council, who took it in as it is now produc'd: But it doth not appear by all these Depositions, that the Matter was brought to the Council Board, that the Councils Pleasure might be known upon it, tho' it seems to have been intended by *Ardkinlas*, who both writ himself and sent Colonel *Hill*'s Letter for to make *Glenco*'s Excuse, and desir'd expresly to know the Councils Pleasure.

After that *Glenco* had taken the Oath of Allegiance as is said, he went home to his own House, and as his own two Sons above nam'd depone, He not only liv'd there for some

ſome Days quietly and ſecurely, but call'd his People together, and told them he had taken the Oath of Allegiance, and made his Peace, and therefore deſir'd and engag'd them to live peaceably under King *William*'s Government, as the Depoſitions of the ſaid two Sons, who were preſent, mark'd with the Letter E bears.

Theſe things having preceeded the Slaughter, which happen'd not to be committed until the 13th of *February* 1692, ſix Weeks after the deceas'd *Glenco* had taken the Oath of Allegiance at *Inverary*. The Slaughter of the *Glenco* Men was in this manner, *viz. John* and *Alexander Mac-Donalds*, Sons to the deceas'd *Glenco*, depone, That *Glengary*'s Houſe being reduc'd, the Forces were call'd back to the South, and *Glenlyon*, a Captain of the Earl of *Argyle*'s Regiment, with Lieutenant *Lindſay* and Enſign *Lindſay*, and ſix ſcore Soldiers, return'd to *Glenco* about the 1ſt of *February* 1692, where, at their Entry, the elder Brother *John* met them with about 20 Men, and demanded the reaſon of their coming, and Lieutenant *Lindſey* ſhew'd him his Orders for quartering there under Colonel *Hill*'s Hand, and gave aſſurance that they were only come to Quarter; whereupon they were billeted in the Country, and had free Quarters and kind Entertainment, living familiarly with the People until the 13th Day of *Feb.* and *Alexander* farther depones, That *Glenlyon* being his Wive's Uncle came almoſt every Day and took his Morning Drink at his Houſe, and that the very Night before the Slaughter, *Glenlyon* did play at Cards in his own Quarters with both the Brothers, and *John* depones, That old *Glenco* his Father had invited *Glenlyon*, Lieutenant *Lindſay*, and Enſign *Lindſay*, to dine with him upon the very day the Slaughter happen'd. But on the 13th day of *February*, being Saturday, about four or five in the Morning, Lieutenant *Lindſay*, with a Party of the foreſaid Soldiers, came to old *Glenco*'s Houſe, where, having call'd in a Friendly manner, and got in, they ſhot his

Father

Father dead with ſeveral Shots as he was riſing out of hi Bed; and the Mother having got up and put on her Clothes, the Soldiers ſtripp'd her naked and drew the Rings off her Fingers with their Teeth; as likewiſe they kill'd one Man more and wounded another grievouſly at the ſame place: And this Relation they ſay they had from their Mother, and is confirm'd by the Depoſition of *Archbald Mackdonald*, Indweller in *Glenco*, who farther depones that *Glenco* was ſhot behind his Back with two Shots, one through the Head and the another through the Body, and two more were kill'd with him in that place, and a third wounded and left for dead: And this he knows, becauſe he came that ſame day to *Glenco's* Houſe, and ſaw his dead Body lying before the Door, with the other two that were kill'd, and ſpoke with the third that was wounded, whoſe Name was *Duncan Don*, who came there occaſionally with Letters from the Brae of *Mar*.

The ſaid *John Macdonald*, eldeſt Son to the deceas'd *Glenco* depones, the ſame morning that his Father was kill'd there came Soldiers to his Houſe before Day, and call'd at his Window, which gave him the Alarm, and made him go to *Innerriggen*, where *Glenlyon* was quarter'd, and that he found *Glenlyon* and his Men preparing their Arms, which made the Deponent ask the Cauſe; but *Glenlyon* gave him only good Words, and ſaid they were to march againſt ſome of *Glengaries* Men, and if there were Ill intended, would not he have told *Sandy* and his Neice? meaning the Deponents Brother and his Wife; which made the Deponent go home and go again to his Bed, untill his Servant, who hindred him to ſleep, rais'd him; and when he roſe and went out, he perceiv'd about 20 Men coming towards his Houſe with their Bayonets fix'd to their Muskets; whereupon he fled to the Hill, and having *Auchnaion*, a little Village in *Glenco*, in view, he heard the Shots wherewith *Auchintriaten* and four more were kill'd; and that he heard alſo the Shots at *Innerriggen*, where *Glen-*

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lyon had caus'd to kill nine more, as shall be hereafter declar'd; and this is confirm'd by the concurring Deposition of *Alexander Macdonald* his Brother, whom a Servant wak'd out of sleep, saying, It is no time for you to be sleeping, when they are killing your Brother at the Door; which made *Alexander* to flee with his Brother to the Hill, where both of them heard the foresaid Shots at *Auchnaion* and *Innerriggin*: And the said *John*, *Alexander* and *Archibald Macdonald*'s do all depone, That the same Morning there was one Serjeant *Barber* and a Party at *Auchnaion*, and that *Auchintriaten* being there in his Brother's House with eight more sitting about the Fire, the Soldiers discharg'd upon them about 18 Shot, which kill'd *Auchintriaten* and four more; but the other four, whereof some were wounded, falling down as dead, Serjeant *Barber* laid hold on *Auchintriaten*'s Brother, one of the four, and ask'd him if he were alive? He answer'd, That he was, and that he desir'd to die without rather than within: *Barber* said, That for his Meat that he had eaten, he would do him the Favour to kill him without; but when the Man was brought out, and Soldiers brought up to shoot him, he having his Plaid loose flung it over their Faces and so escap'd; and the other three broke through the back of the House and escap'd: And this Account the Deponents had from the Men that escap'd: And at *Innerriggin*, where *Glenlyon* was quartered, the Soldiers took other nine Men and did bind them Hand and Foot, kill'd them one by one with Shot; and when *Glenlyon* inclin'd to save a young Man of about 20 Years of Age, one Captain *Drummond* came and ask'd how he came to be sav'd, in respect of the Orders that were given, and shot him dead; and another young Boy of about 13 Years ran to *Glenlyon* to be sav'd, he was likewise shot dead; and in the same Town there was a Woman and a Boy about four or five Years of Age kill'd; and at *Auchnaion* there was also a Child missed, and nothing found of him but the Hand. There were likewise several killed at other Places, whereof one was an old Man about 80 Years of Age: And all this the Deponents say they affirm, because they heard the Shot, saw the dead Bodies, and had an Account from the Women that were left. And *Ronald Macdonald*, Indweller in *Glenco*, farther depones, That he being living with his Father in a little Town of *Glenco*, some of *Glenlyon*'s Soldiers came to his Father's House, the said 13th Day of *February* in the morning, and dragg'd his Father out of his Bed and knock'd him down for dead at the Door, which the

Deponent ſeeing, made his Eſcape, and his Father recovering, after the Soldiers were gone, got into another Houſe; but this Houſe was ſhortly burnt, and his Father burnt in it; and the Deponent came there after and gather'd his Father's Bones and burned them. He alſo declares, That at *Auchnaion*, where *Auchintriaten* was killed, he ſaw the Body of *Auchintriaten* and three more caſt out and cover'd with Dung: And another Witneſs of the ſame declares, That upon the ſame 13th of *February*, *Glenlyon* and Lieutenant *Lindſay*, and their Soldiers, did in the Morning before Day fall upon the People of *Glenco* when they were ſecure in their Beds and kill'd them, and he being at *Innerriggin* fled with the firſt, but heard Shots and had two Brothers killed there, with three Men more and a Woman, who were all buried before he came back. And all theſe five Witneſſes concur, That the foreſaid Slaughter was made by *Glenlyon* and his Soldiers, after they had been quarter'd, and liv'd peaceably and friendly with the *Glenco-Men* about 13 Days, and that the Number of thoſe whom they knew to be ſlain were about 25, and that the Soldiers after the Slaughter did burn the Houſes, Barns and Goods, and carried away a great Spoil of Horſe, Nolt and Sheep, above a 1000. And *James Campbel*, Soldier in the Caſtle of *Stirling*, depones, That in *January* 1692, he being then a Soldier in *Glenlyon*'s Company march'd with the Company from *Inverlochie* to *Glenco*, where the Company was quarter'd, and very kindly entertain'd for the ſpace of 14 Days, that he knew nothing of the Deſign of killing the *Glenco-Men* till the Morning that the Slaughter was committed, at which time *Glenlyon* and Captain *Drummond*'s Companies were drawn out in ſeveral Parties, and got Orders from *Glenlyon* and their other Officers to ſhoot and kill all the Country-men they met with; and that the Deponent being one of the Party which was at the Town where *Glenlyon* had his Quarters, did ſee ſeveral Men drawn out of their Beds, and particularly he did ſee *Glenlyon*'s own Landlord ſhot by his Order, and a young Boy of about twelve Years of Age, who endeavour'd to ſave himſelf by taking hold of *Glenlyon*, offering to go any where with him if he would ſpare his Life, and was ſhot dead by Captain *Drummond*'s Order; and the Deponent did ſee about eight Perſons kill'd, and ſeveral Houſes burnt, and Women flying to the Hills to ſave their Lives. And laſtly, Sir *Colin Campbel* of *Aberuchil* depones, That after the Slaughter, *Glenlyon* told him that *Macdonald* of *Innerriggin* was kill'd with the reſt

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of the *Glenco-men*, with Col. *Hill*'s Paſs or Protection in his Pocket, which a Soldier brought and ſhew'd to *Glenlyon*.

The Teſtimonies above ſet down being more than ſufficient to prove a Deed ſo notoriouſly known, it is only to be remark'd, that more Witneſſes of the Actors themſelves might have been found if *Glenlyon* and his Solders were not at preſent in *Flanders* with *Argile*'s Regiment; and it's farther added, that Lieutenant Colonel Hamilton, who ſeems by the Orders and Letters that ſhall be hereafter ſet down to have had the particular Charge of this Execution, did march the night before the Slaughter with about 400 Men, but the Weather falling to be very bad and ſevere, they were forc'd to ſtay by the Way, and did not get to *Glenco* againſt the next Morning, as had been concerted betwixt Major *Duncaſon* and Lieutenant Colonel *Hamilton*; ſo that the Meaſures being broke, Lieutenant Colonel *Hamilton* and his Men came not to *Glenco* till about eleven of the Clock after the Slaughter had been committed, which proved the Preſervation and Safety of the Tribe of *Glenco*, ſince by this means the far greater part of them eſcap'd; and then the Lieutenant Colonel being come to *Cannelochleven* appointed ſeveral Parties for ſeveral Poſts, with Orders that they ſhould take no Priſoners, but kill all the Men that came in their Way. Thereafter ſome of the Lieutenant Colonels Men march'd forward in the *Glen*, and met with Major *Duncaſons* Party, whereof a Part under *Glenlyon* had been ſent by Lieutenant Colonel *Hamilton* to quarter there ſome days before, and theſe Men told how they had kill'd *Glenco* and about 36 of his Men that Morning, and that there remain'd nothing to be done by the Lieutenant Colonel and his Men, ſave that they burnt ſome Houſes, and kill'd an old Man by the Lieutenant Colonel's Orders, and brought away the Spoil of the Country; and this in its ſeveral Parts is teſtified by *John Forbes*, Major in Colonel *Hill*'s Regiment, *Francis Farquhar* and *Gilbert Kennedy*, both Lieutenants in that Regiment, who were all of the Lieutenant-Colonel's Party, as their Depoſitions more fully bear.

It may be alſo here noticed, that ſome days after the Slaughter of the *Glenco* Men was over, there came a Perſon from — *Campbel* of *Balcalden*, Chamberlain, *i.e.* Steward to the E. of *Braidalbin*, to the deceaſed *Glenco*'s Sons, and offered to them, if they would declare under their Hands, that the Earl of *Braidalbin* was free and clear of the ſaid Slaughter, they might be aſſur'd of the

Earl's Kindneſs for procuring their Remiſſion and Reſtitution, as was plainly depon'd before the Commiſſioners.

It remains now to give an Account of the Warrands, either given, or pretended to be given for the committing of the foreſaid Slaughter, for clearing whereof it is to be notic'd, that the King having been pleas'd to offer by Proclamation an Indemnity to all the Highland Rebels, who ſhould come in and accept thereof by taking the Oath of Allegiance, betwixt and the 1ſt of *January* 1692, after the Day was elaps'd, it was very proper to give Inſtructions how ſuch of the Rebels as had refus'd his Majeſty's Grace ſhould be treated, and therefore his Majeſty, by his Inſtructions of the Date of the 11th *January* 1692, directed to Sir *Tho. Livingſton*, and ſuper ſign'd and counter ſign'd by himſelf, did indeed order and authorize Sir *Tho.* to march the Troops againſt the Rebels, who had not taken the benefit of the Indemnity, *and to deſtroy them by Fire and Sword*; (which is the actual ſtile of our Commiſſions againſt intercommuned Rebels) but with this expreſs mitigation in the fourth Article, *viz. That the Rebels may not think themſelves deſperate*, we allow you to give Terms and Quarters, *but in this manner only*, that Chieftains and Heritors, or Leaders, be Priſoners of War, their Lives only ſafe, and all other things in mercy; they taking the Oath of Allegiance: And the Community taking the Oath of Allegiance, and rendring their Arms, and ſubmitting to the Government, are to have Quarters and Indemnity for their Lives and Fortunes, and to be protected from the Soldiers, as the principal Paper of Inſtructions produc'd by Sir *Tho. Livingſton* bears.

After theſe Inſtructions there were additional ones given by his Majeſty to Sir *Tho. Livingſton* upon the 16th of the ſaid Month of *January*, ſuper ſign'd and counter ſign'd by his Majeſty, and the Date mark'd by Secretary *Stair*'s Hand, which bear Orders for giving of Paſſes, and for receiving the Submiſſion of certain of the Rebels, wherein all to be notic'd to the preſent Purpoſe is, that therein his Majeſty doth judge it much better that theſe who took not the benefit of the Indemnity in due time, ſhould be oblig'd to render upon Mercy, they ſtill taking the Oath of Allegiance, and then it's added, if *Mackean* of *Glenco* and that Tribe can be well ſeparated from the reſt, It will be a proper Vindication of the publick Juſtice to extirpate that Sect of Thieves: And of theſe additional Inſtructions, a principal Duplicat was ſent to Sir *Tho. Livingſton*, and another to Colonel *Hill*, and were

both

both produc'd; and theſe were all the Inſtructions given by the King in this Matter.

But Secretary *Stairs*, who ſent down theſe Inſtructions as his Letters, produc'd written with his Hand to Sir *Tho.* of the ſame Date with them teſtifie, by a previous Letter of the Date of the 7th of the ſaid Month of *January*, written and ſubcrib'd by him to Sir *Tho.* ſays, You know in general that theſe Troops poſted at *Inverneſs* and *Inverlochie* will be ordered to take in the Houſe of *Innergarie*, and to deſtroy entirely the Country of *Lochaber*, *Locheals* Lands, *Kippochs*, *Glengaries* and *Glenco*; and then adds, *I aſſure you your Power ſhall be full enough, and I hope the Soldiers will not trouble the Government with Priſoners*; and by another Letter of the 9th of the ſaid Month of *January*, which is likewiſe before the Inſtructions and written to Sir *Tho.* as the former, he hath this Expreſſion, That theſe, who remain of the Rebels, are not able to oppoſe, and their Chiftains being all Papiſts, *It is well the Vengeance falls there*, for my part I could have wiſh'd the *Macdonalds* had not divided, and I am ſorry, *That* Kippoch *and* Mackean *of* Glenco *are ſafe*; and then afterwards, we have an account, That *Lncheal*, *Macnaughton*, *Appin* and *Glenco* took the benefit of the Indemnity at *Inverary*, and *Kippoch* and others at *Inverneſs*: But this Letter of the 11th of *January* ſent with the firſt Inſtructions to Sir *Tho.* hath this Expreſſion, *I have no great Kindneſs to* Kippoch nor Glenco, and it's well that People are in mercy, and then juſt now my Lord *Argile* tells me, That *Glenco* hath not taken the Oath; *at which I rejoyce.* It is a great Work of Charity to be exact in rooting out that damnable Sect, the worſt of the Highlands. But in his Letter of the 16th of *January* of the ſame date with the additional Inſtructions, tho' he writes in the 1ſt part of the Letter, the King does not at all incline to receive any after the Diet, but on Mercy, yet he thereafter adds, but for a juſt Example of Vengeance, *I intreat the theiving Tribe of* Glenco *may be rooted out to purpoſe.* And to confirm his by this Letter of the ſame date, ſent with the other principal Duplicate, and additional Inſtructions to Colonel *Hill*, after having written, that ſuch as render on Mercy might be ſav'd; he adds, I ſhall intreat you that for a juſt Vengeance and publick Example, the Tribe of *Glenco* may be rooted out to purpoſe. The Earls of *Argyle* and *Braidalbin* have promiſed that they ſhall have no retreat in their Bounds, the Paſſes to *Ronoch* would be ſecur'd, and the hazard certified to the Laird of

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Weems to reſet them, in that caſe *Argyle*'s Detachment, with a Party that may be poſted in Iſland *Stalker*, muſt cut them off, and the People of *Appin* are none of the beſt.

This laſt Letter with the Inſtructions for Colonel *Hill*, was received by Major *Forbes* in his Name at *Edinburgh*; and the Major depones, That by the Allowance he had from the Colonel, he did unſeal the Packquet, and found therein the Letter and Inſtructions as above, which he ſent forward to Colonel *Hill*, and that in the beginning of *February* 1692, being in his way to *Fort-William*, he met ſome Companies of *Argyle*'s Regiment at *Belliſheil*'s, and was ſurpriz'd to underſtand that they were going to quarter in *Glenco*, but ſaid nothing till he came to Fort *William*, where Colonel *Hill* told him, that Lieutenant-Colonel *Hamilton* had got Orders about the Affair of *Glenco*, and that therefore the Colonel had left it to Lieutenant-Colonel *Hamilton*'s Management, who, he apprehends, had concerted the Matter with Major *Duncaſon*; and Colonel *Hill* depones, That he underſtood that Lieutenant-Colonel *Hamilton* and Major *Duncaſon* got the Orders about the *Glenco* Men, which were ſent to Lieutenant-Colonel *Hamilton*; that for himſelf he lik'd not the Buſineſs, but was very grieved at it; that the King's Inſtructions of the 16th of *January* 1692, with the Maſter of *Stair*'s Letters of the ſame Date, were brought to him by Major *Forbes*, who had received them, and unſeal'd the Packquet at *Edinburgh*, as theſe two Depoſitions do bear.

Yet the Execution and Slaughter of the *Glenco* Men did not immediately take effect, and thereafter on the 30th of the ſaid Month of *January*, the Maſter of *Stairs* doth again write two Letters, one to Sir *Tho. Livingſton*, which bears, *I am glad that* Glenco *did not come in within the time prefix'd*; I hope what is done there may be in earneſt, ſince the reſt are not in a Condition to draw together to help; I think to *Harry*, (that is to drive) their Cattle, and burn their Houſes, is but to render them deſperate lawleſs Men to rob their Neighbours, but I believe you will be ſatisfied it were a great Advantage to the Nation, *That theiving Tribe were rooted out, and cut off; it muſt be quietly done, otherwiſe they will make ſhift for both their Men and their Cattle*, *Argyle*'s Detachment lies in *Letrickweel* to aſſiſt the Gariſon to do all of a ſudden. And the other to Colonel *Hill*, which bears, Pray when the thing concerning *Glenco* is reſolv'd, *let it be ſecret and ſudden, otherwiſe the Men will ſhift you, and*

better

better not meddle with them than not to do it to purpose, to cut off that Nest of Robbers, who have fallen in the Mercy of the Law now when there's Force and Opportunitiy, whereby the King's Justice will be as conspicuous and useful as his Clemency to others. I apprehend the Storm is so great, that for some time you can do little, but so soon as possible I know you will be at work, for these false People will do nothing but as they see you in a Condition to do with them.

Sir *Tho. Levingston* having got the King's Instructions, with Secretary *Stair*'s Letter of the 16th of *January*, and knowing by a Letter he had from the Master of *Stair* of the Date of the 7th of *January* 1692, that Lieutenant Colonel *Hamilton* was to be the Man imploy'd in the Execution of the *Glenco* Men, in pursuance of the Secretary's Letter, he writes to Lieutenant-Col. *Hamilton* upon the 23d of the said Month of *January*, telling him, That it was judg'd good News that *Glenco* had not taken the Oath of Allegiance within the time prefix'd, and that Secretary *Stair* in his last Letter had made mention of him, and then adds, *For, Sir, here is a fair occasion for you, to show that your Garison serves for some use, and seeing that the Orders are so positive from Court to me not to spare any of them that have not timely come in, as you may see by the Orders I send to your Colonel, I desire you would begin with* Glenco, *and spare nothing which belongs to him: but do not trouble the Government with Prisoners*: As this Letter produc'd by Lieutenant-Colonel *Hamilton* bears.

And Sir *Thomas* being heard upon this Letter, declar'd that at that time he was immediately return'd from his Journey to *London*, and that he knew nothing of any Soldiers being quarter'd in *Glenco*, and only meant that he should be prosecuted as a Rebel standing out, by fair Hostility: And in this Sense he made use of the same Words and Orders written to him by Secretary *Stair*. Thereafter Col. *Hill* gives his Order to be directed to Lieutenant-Col. *Hamilton*, in these Terms: *SIR, You are with* 400 *of my Regiment, and the* 400 *of my Lord* Argyle's *Regiment, under the Command of Major* Duncason, *to march straight to* Glenco, *and there put in due Execution, the Orders you have received from the Commander in Chief.* Given under my Hand at *Fort William*, the 12th Day of *February*, 1692. And this Order is also produc'd by Lieutenant-Colonel *Hamilton*.

Then the same Day Lieutenant-Col. *Hamilton* wrote to Major *Duncason* in these Terms: '*SIR*, Pursuant to the Commander

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'in Chief and my Colonel's Orders to me, for putting in Execu-
'tion the Service againſt the Rebels of *Glenco*, wherein you with
'a Party of *Argyle*'s Regiment, now under your Command, are
'to be concern'd, you are therefore to order your Affairs ſo that
'you be at the ſeveral Poſts aſſign'd you by ſeven of the Clock
'to morrow Morning being *Saturday*, and fall in Action with
'them; at which time I will endeavour to be with the Party
'from this Place at the Poſt appointed them. It will be neceſ-
ſary that the Avenues minded by Lieutenant *Campbel* on the South
ſide be ſecured; that the old Fox nor none of his Curbs get
away; the Orders are, that none be ſpar'd, nor the Government
troubled with Priſoners, and the Copy of this laſt Order is pro-
duc'd under Lieutenant Colonel *Hamilton*'s own Hand, and ac-
cordingly the Slaughter of *Glenco*, and his poor People did enſue
the next Morning, being the 13th of *February* 1692. in the
manner narrated.

And upon the whole Matter, it is the Opinion of the Com-
miſſion. *Firſt*, That it was a great wrong that *Glenco*'s Caſe
and Diligence, as to his taking the Oath of Allegiance, with *Ard-
kinlas*'s Certificate of his taking the Oath of Allegiance on the
6th of *January* 1692, and Col. *Hill*'s Letter to *Ardkinlas*, and
Ardkinlas's Letter to *Colin Campbel*, Sheriff-Clerk, for clearing
Glenco's Diligence and Innocence, were not preſented to the Lords
of his Majeſty's Privy Council, when they were ſent into *Edin-
dinburgh* in the ſaid Month of *January*, and that thoſe who ad-
vis'd the not preſenting thereof were in the wrong, and ſeem to
have had a malicious Deſign againſt *Glenco*, and that it was a
farther wrong that the Certificate, as to *Glenco*'s taking the Oath
of Allegiance, was delete and obliterate after it came to *Edin-
burgh*; and that being ſo obliterate, it ſhould neither have been
preſented to, or taken in by the Clerk of the Council, without an
expreſs Warrant from the Council. *Secondly*, That it appears to
have been known at *London*, and particularly to the Maſter of
Stair, in the Month of *January* 1692, that *Glenco* had taken
the Oath of Allegiance, tho' after the Day preſix'd; for he ſaith
in his Letter of the 30th of *January* to Sir *Tho. Levingſton*, as
is above remark'd, *I am glad that* Glenco *came not in within the
time preſcrib'd*. *Thirdly*, That there was nothing in the King's
Inſtructions to warrant the committing of the foreſaid Slaughter,
even as to the thing it ſelf, and far leſs as to the manner of it,
ſeeing all his Inſtructions do plainly import, that the moſt obſti-

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nate of the Rebels might be receiv'd into Mercy, upon taking the Oath of Allegiance, tho' the Day was long before elaps'd, and that he ordered nothing concerning *Glenco* and his Tribe, but that if they could be well ſeparated from the reſt, it would be a proper Vindication of the Publick Juſtice to extirpate that Sect of Thieves; which plainly intimates, that it was his Majeſty's Mind that they could not be ſeparated from the reſt of theſe Rebels, unleſs they ſtill refus'd his Mercy by continuing in Arms and refuſing the Alleg ance; and that even in that Caſe they were only to be proceeded againſt in the way of Publick Juſtice, and no other way. *Fourthly*, That Secretary *Stair*'s Letters, eſpecially that of the 11th of *January* 1692, in which he rejoyces to hear that *Glenco* had not taken the Oath; and that of the 16th of *January*, of the ſame Date with the King's additional Inſtructions, and that of the 30th of the ſame Month, were no ways warranted by, but quite exceeded the King's foreſaid Inſtructions, ſince the ſaid Letters without any inſinuation of any Method to be taken that might well ſeparate the *Glenco-Men* from the reſt, did, in place of preſcribing a Vindication of Publick Juſtice, order them to be cut off and rooted out in earneſt, and to purpoſe, and that ſuddenly, and ſecretly, and quietly, and all on a ſudden; which are the expreſs Terms of the ſaid Letters; and comparing them and the other Letters with what enſued, appear to have been the only Warrant and Cauſe of their Slaughter, which in effect was a barbarous Murder, perpetrated by the Perſons depon'd againſt: And this is yet farther confirm'd by two more of his Letters, written to Col. *Hill*, after the Slaughter committed, *viz.* on the 5th of *March* 1692, wherein, after having ſaid that there was much Talk at *London*, that the *Glenco-Men* were murder'd in their Beds, after they had taken the Allegiance; he continues, for the laſt I know nothing of it; I am ſure neither you, nor any Body impower'd to treat or give Indemnity, did give *Glenco* the Oath; and to take it from any Body elſe, after the Diet elaps'd, did import nothing at all; all that I regrate is, that any of the ſort got away, and there is a neceſſity to proſecute them to the utmoſt. And another from the *Hague*, the laſt of *April* 1692, wherein he ſays, For the People of *Glenco*, when you do your Duty in a thing ſo neceſſary, to rid the Country of Thieving, you need not trouble your ſelf to take the Pains to vindicate your ſelf by ſhewing all your Orders, which are now put in the *Paris* Gazette, when you do right you need fear no Body;

all that can be ſaid is, That in the Execution, it was neither ſo full nor ſo fair as might have been. And this is their humble Opinion the Commiſſioners, with all ſubmiſſion, return and lay before his Majeſty, in diſcharge of the foreſaid Commiſſion.

Sic Subſcribitur, *Tweeddale*, *Anandale*, (now Marquis of *Anandale*, and Preſident of the Privy-Conncil.) *Murray*, (now Duke of *Athol* and Lord Privy-Seal. *Ja. Stuart*, (her Majeſty's Advocate.) *Adam Cockburn*, (late Lord Treaſurer Deput.) *W. Hamilton*, (Lord *Whitelaw*, one of the Lords of the Seſſion.) *Ja. Ogilvie*, (now Earl of *Seafield* and Lord High Chancellor.) *A. Drummond.*

The Report being agreed on, and ſign'd by the Commiſſioners, ſeveral Members mov'd in Parliament on the 24th of *June*, that the ſaid Report ſhould be laid before the Houſe.

Upon which his Majeſty's High Commiſſioner acquainted the Parliament, That the Report of the Commiſſion, for enquiring into the Buſineſs of *Glenco*, being ſent to his Majeſty on Thurſday laſt, he would lay the ſame before them with the Depoſitions of the Witneſſes, and other Documents relating thereto, for their Satisfaction and full Information; and if they thought fit to make any other uſe of it, he made no doubt it would be with that deference and ſubmiſſion to his Majeſty's Judgment that becometh ſo Loyal and Zealous a Parliament, in Vindication of the Juſtice and Honour of his Majeſty's Government.

Then the Report from the Commiſſion, for enquiring into the Slaughter of the *Glenco-Men*, was read, with the Depoſitions of the Witneſſes, the King's Inſtructions, and the Maſter of *Stair*'s Letters for inſtructing the ſaid Report.

After hearing the ſaid Report, it was voted *Nemine contradicente*, That his Majeſty's Inſtructions of the 11th and 16th Days of *January* 1692, touching the Highland Rebels, who did not accept in due time of the Benefit of his Indemnity, did contain a Warrand for Mercy to all without exception, who ſhould take the Oath of Allegiance and come in upon Mercy, tho' the firſt Day of *January* 1692, prefix'd by the Proclamation of Indemnity was paſſed, and that therefore theſe Inſtructions contain'd no Warrand for the Execution of the *Glenco-Men*, made in *February* thereafter. Then the Queſtion was ſtated and voted, If the Execution of the *Glenco-Men*, in *February* 1692, as it is repreſented to the Parliament, be a Murder or not? And carried in the Affirmative.

Moved,

Moved, That ſince the Parliament has found it a Murder, that it may be inquired into, who were the occaſion of it, and the Perſons guilty and committers of it, and in what way and manner they ſhould be proſecuted. And after ſome Debate thereon, the Method of the ſaid Proſecution was delayed, and reſolved that this Houſe will again take the ſame under Conſideration firſt on Monday next: And the Maſter of *Stair*'s Letters were ordered to be put in the Clerks Hands, and any Members of Parliament allowed an Inſpection thereof.

June 26. 1695. The Inquiry into the Perſons who were the occaſion of the Slaughter of the *Glenco-Men* was again proponed, and motied that before any further Procedure in that Affair, there may be an Addreſs ſent to his Majeſty on what is already paſt: And after ſome Debate thereon, The Queſtion ſtated, proceed further in the Inquiry before addreſſing his Majeſty, or addreſs upon what is already paſt without any further Procedure? And carried, Proceed further before Addreſs.

Thereafter the Queſtion ſtated and voted, If they ſhould firſt proceed to conſider the Maſter of *Stair*'s Letters, or the Actors of the Murder of *Glenco-Men*? And carried, Firſt to conſider the Maſter of *Stair*'s Letters.

Then the Maſter of *Stair*'s Letters, with the King's Inſtructions to Sir *Thomas Livingſton* and Col. *Hill*, and the 4th Article of the Opinion of the Commiſſion relating to the Maſter of *Stair*'s was read; and after ſome Debate, the Queſtion was ſtated, Whether the Maſter of *Stair*'s Letters do exceed the King's Commiſſion, towards the killing and deſtroying of the *Glenco-Men* or not? And carried in the Affirmative.

June 28. 1695. The Preſident of Parliament repreſented, That there was a Print diſperſed, Intituled, *Information for the Maſter of* Stair, reflecting upon the Commiſſion for inquiring into the Slaughter of the *Glenco-Men*, and arraigning a Vote of Parliament: And therefore moved, That it may be inquired, who was the Author of it, and that both he and the ſaid Print may be cenſured. Mr. *Hugh Dalrumple*, Brother to the Maſter of *Stair* and a Member of Parliament, acknowledged himſelf to be the Author, and gave an account of his Miſtakes, proteſting that he therein intended no Reflection on the Commiſſion, and that the Paper was written before the Vote paſt in Parliament, tho' printed and ſpread thereafter.

Reſolved, That firſt the Author and then the Print be cenſured.

And Mr. *Hugh* was ordered to ask his Grace and the Parliament pardon, which he did, again declaring that what was offensive in that Paper had happened through mistake.

Thereafter agreed that the said Print was false and calumnious. And the Question being stated, If the Print spread abroad amongst the Members of Parliament, intituled, *Information for the Master of* Stair, ought to be condemn'd as false and calumnious, and therefore burnt, or only that the Print should be so marked in the Minutes of Parliament; It carried, that the Print should be marked in the Minutes of Parliament to be false and calumnious.

Then the Parliament proceeded farther in the Inquiry of the Slaughter of the *Glencoe*-Men. And in the first place, as to the Orders given by Sir *Thomas Livingston*, in two of his Letters directed to Lieutenant Colonel *Hamilton*: And the said Letters being read, after debate thereon it was put to the Vote proceed or delay, and carried proceed.

Then the Question was stated, whether Sir *Thomas Livingston* had reason to give such Orders as were contained in these Letters or not, and was carried in the Affirmative, *Nemine Contradicente*.

July 8th, 1695. The Parliament having resumed the Inquiry into the Slaughter of the *Glencoe*-Men, and who were the Actors; And in the first place about Lieutenant Colonel *Hamilton*; And that part of the Report of the Commission relating to him; And the Orders he got and the Orders he said he gave with the Depositions taken before the said Commission; And after some debate thereon, the Question was stated and put to the Vote. If from what appears to the Parliament, Lieutenant Colonel *Hamilton* be free from the Murder of the *Glencoe*-Men, and whether there be ground to prosecute him for the same or not; and carried, he was not clear, and that there was ground to prosecute him.

Then the Question was stated and voted as to Major *Duncanson*, at present in *Flanders*, If the King should be address'd, either to cause him to be examin'd there about the Orders he received, and his Knowledge of that Matter; or that he be order'd home to be prosecuted therefore, as his Majesty shall think fit, or no; And carried in the Affirmative.

Then that part of the Report of the Commission, as to *Glenlyon*, Captain *Drummond*, Lieutenant or Adjutant *Lindsay*, Ensign *Lundy*, and Serjant *Barber*, read with the Depositions of the Witnesses against them; And the Question stated and voted, If it appeared that the said Persons were the Actors of the Murder of the *Glencoe*-Men under Trust; And that his Majesty be address'd to send them home to be prosecuted for the same according to Law, or not; And carried in the Affirmative.

Thereafter voted if it should be remitted to the Committee for the Security of the Kingdom to draw this Address; or a new Committee elected for drawing thereof, and carried remit.

The Report from the Committee for security of the Kingdom in favours of the *Glencoe*-Men, read and remitted to the said Committee; That there be a particular Recommendation of the Petitioner's Case to his Majesty brought in by the said Committee.

July 10. 1695. The Address about the Slaughter of the *Glencoe*-Men to be sent to the King, read with several of the Master of *Stair*'s Letters to Sir *Thomas Livingston* and Colonel *Hill*; And after some Debate upon the Paragraph touching the Master of *Stair*: It was voted, approve the Paragraph as brought in from the Committee, or as offered with Amendments: It carried, approve as brought in from the Committee. Thereafter the whole Address was put to the Vote, and approv'd as follows.

The

The Addreſs of the Noble-men, Barons and Burroughs in Parliament, humbly preſented to his moſt Sacred Majeſty upon the Diſcovery communicate to them, touching the Murder of the *Glenco-Men* in *February* 1692.

WE *your Majeſty's moſt Loyal and Dutiful Subjects, the Noble Men, Barons and Burroughs aſſembled in Parliament, do humbly repreſent to your Majeſty, That in the beginning of this Seſſion, we thought it our Duty, for the more ſolemn and publick Vindication of the Honour and Juſtice of the Government, to enquire into the barbarous Slaughter committed in* Glenco, *Feb.* 1692. *which hath made ſo much noiſe both in this Kingdom and your Majeſty's other Dominions; but we being inform'd by your Majeſty's Commiſſioner, That we were prevented in this Matter by a Commiſſion under the Great Seal for the ſame purpoſe: We did, upon the reading of the ſaid Commiſſion, unanimouſly acquieſce to your Majeſty's Pleaſure, and return'd our humble Acknowledgments for your Royal Care in granting the ſame, and we only deſired that the Diſcoveries to be made ſhould be communicated to us, to the end, that we might add our Zeal to your Majeſty's for proſecuting ſuch Diſcoveries, and that in ſo National a Concern, the Vindication might be alſo publick as the Reproach and Scandal had been, and principally that we, for whom it was moſt proper, might teſtifie to the World how clear your Majeſty's Juſtice is in all this Matter.*

And now your Majeſty's Commiſſioner, upon our repeated Inſtances, communicated to us a Copy of the Report tranſmitted by the Commiſſion to your Majeſty, with your Majeſty's Inſtructions, the Maſter of Stair's *Letters, the Orders given by the Officers, and the Depoſitions of the Witneſſes relating to that Report, and the ſame being read and compared, we could not but unanimouſly declare, That your Majeſty's Inſtructions of the 7th and 16th of* January 1692, *touching the Highlanders who had not accepted in due time of the Benefit of the Indemnity, did contain a Warrant for Mercy to all without exception, who ſhould offer to take the Oath of Allegiance, and come in upon Mercy, tho' the 1ſt of* January 1692, *prefix'd by the Proclamation of Indemnity was paſt, and that theſe Inſtructions contain no Warrant for the Execution of the* Glenco-men *made in* Feb. *thereafter; and here we cannot but acknowledge your Majeſty's Signal Clemency upon this Occaſion, as well as in the whole Tract of your Government over us; for had your Majeſty, without new Offers of Mercy, given poſitive Orders for the executing the Law upon the Highlanders, that had already deſpis'd your repeated Indemnities, they had but met with what they juſtly deſerved.*

But it being your Majeſty's Mind, according to your uſual Clemency, ſtill to offer them Mercy, and the Killing of the Glenco-men *being upon that Account unwarrantable as well as the manner of doing it being barbarous and inhumane, we proceeded to vote the killing of them a Murder, and to enquire who had given occaſion to it, and were the Actors in it.*

We found in the firſt place that the Maſter of Stairs, *his Letters had exceeded your Majeſty's Inſtructions towards the Killing and Deſtruction of the* Glenco-men; *this appeared by the comparing the Inſtructions and Letters, whereof the juſt atteſted Duplicats are herewith tranſmitted; in which Letters the* Glenco-men *are over and again diſtinguiſhed from the reſt of the Highlanders, not as the fitteſt Subject of Severity, in caſe they continued obſtinate, and made Severity neceſſary according to the Meaning of the Inſtructions; but as Men abſolutely and poſitively ordered to be deſtroyed, without any further Conſideration, than that of their not having taken the Indemnity in due time, and their not having taken it, is valued as a happy Incident, ſince it afforded*

us

an Opportunity to deſtroy them, and the deſtroying of them is urged with a great deal of Zeal, as a thing acceptable and of publick Uſe, and this Zeal is extended, even to the giving of directions about the manner of cutting them off; from all which it is plain, that tho' the Inſtructions be for Mercy to aſſiſt all that will ſubmit, tho' the Day of Indemnity was elapſed, yet the Letters do exclude the Glenco-men from this Mercy.

In the next place we examined the Orders given by Sr. Thomas Livingſton in this Matter, and were unanimouſly of Opinion that he had reaſon to give ſuch Orders for cutting off the Glenco-men, upon the Suppoſition that they had rejected the Indemnity, and without making them new Offers of Mercy, being a thing in it ſelf Lawful, which your Majeſty might have ordered; but it appearing that Sir Thomas was then ignorant of the peculiar Circumſtances of the Glenco-men, he might very well underſtand your Majeſty's Inſtructions in the reſtricted Senſe, which the Maſter of Stair's Letters had given them, or underſtand the Maſter of Stair's Letters to be your Majeſty's Additional Pleaſure, as it is evident he did by the Orders which he gave, where any addition that is to be found in them, to your Majeſty's Inſtructions, is given, not only in the Maſter of Stairs his Senſe, but in his Words.

We proceeded to examine Colonel Hill's Part of the Buſineſs, and were unanimous that he was clear and free of the Slaughter of the Glenco-men; for tho' your Majeſty's Inſtructions and the Maſter of Stairs his Letters were ſent ſtraight from London to him, as well as to Sir Thomas Levingſton, yet he knowing the peculiar Circumſtances of the Glenco-men ſhunned to execute them, and gave no Orders in the Matter, till ſuch time as knowing that his Lieutenant-Colonel had received Orders to take with him 400 Men of his Garriſon and Regiment; he, to ſave his own Honour and Authority, gave a general Order to Hamilton, his Lieutenant-Colonel, to take the 400 Men and to put to due Execution the Orders which others had given him.

Lieutenant-Colonel Hamilton's Part came next to be conſidered, and he being required to be preſent, and called, and not appearing, we ordered him to be denounced, and to be ſeiz'd on wherever he could be found; and having conſidered the Orders that he received, and the Orders which he ſaid before the Commiſſion he gave, and his ſhare in the Execution, we agreed that from what appeared, he was not clear of the Murder of the Glenco-men, and that there was ground to proſecute him for it.

Major Duncanſon, who received Orders from Hamilton, being in Flanders, as well as thoſe to whom he gave Orders, we could not ſee theſe Orders, and therefore we only reſolved about him, that we ſhould addreſs to your Majeſty, either to cauſe him be examined there in Flanders about the Orders he received, and his knowledge of that Affair, or to order him home to be proſecuted therefore, as your Majeſty ſhall think fit.

In the laſt place the Depoſitions of the Witneſſes being clear, as to the ſhare which Captain Campbel of Glenlyon, Capt. Drummond, Lieutenant Lindſay, Enſign Lundie, and Serjeant Barber had in the Execution of the Glenco-men, upon whom they were quartered; we agreed that it appeared that the ſaid Perſons were the Actors in the Slaughter of the Glenco-men under truſt, and that we ſhould addreſs your Majeſty to ſend them home to be proſecuted for the ſame according to Law.

This being the State of that whole Matter as it lies before us, and which, together with the Report tranſmitted to your Majeſty by the Commiſſioner (and which we ſaw verified) gives full light to it, We humbly beg, that conſidering that the Maſter of Stairs Exceſs in his Letters againſt the Glenco-men has been the Original Cauſe of this unhappy Buſineſs, and hath given occaſion in a great meaſure to ſo extraordinary an Execution by the warm Directions he gives about doing it by way of ſurprize, and conſidering the high Station and Truſt he is in, and that he is abſent, we do therefore beg, that your Majeſty will give ſuch Orders, about him for Vindication of your Government, as you in your Royal Wiſdom ſhall think fit.

And

And likewise considering that the Actors have barbarously killed Men under trust, we humbly desire your Majesty would be pleased to send the Actors home, and to give Orders to your Advocate to prosecute them according to Law; there remaining nothing else to be done for the full Vindication of your Government of so foul and scandalous an Aspersion, as it has lain under upon this Occasion.

We shall only add, that the remains of the Glenco-men, *who escaped the Slaughter, being reduc'd to great Poverty by the Depredation and Vastation that was then committed upon them, and having ever since liv'd peaceably under your Majesty's Protection, have now applied to us that we might intercede with your Majesty, that some Reparation may be made them for their Losses. We do humbly lay their Case before your Majesty, as worthy of your Royal Charity and Compassion, that such Orders may be given for supplying them in their Necessities, as your Majesty shall think fit.*

And this the most humble Address of the Estates of Parliament is, by their Order and Warrant, and in their Name, subscribed by

May it please Your Majesty,

Your Majesty's most Humble, most Obedient,

and most Faithful Subject and Servant

July 10. 1695. *This Address voted and approven.*

Anandale, P. P.

Then it was recommended to his Majesty's Commissioner, to transmit to the King the said Address, with Duplicats of the King's Instructions, and of the Master of *Stair*'s Letters.

Moved, That his Majesty's Commissioner have the Thanks of the Parliament for laying the Discovery made of the Matter of *Glenco* before them, and that the Commissioners have the like for their careful Procedure therein; which being put to the vote, approve or not, Carried in the Affirmative, *Nemine Contradicente*; which his Majesty's Commissioner accepted of.

It is said that some of the Persons did get a Remission from King *William*, concerning which it is to be observed first, That the taking of a Remission is a tacite acknowledging of the Crime, and taking upon them the Guilt; Next, that any such Remission is null and void, and will not defend them, because it did not proceed upon Letters of *Slains*, * nor is there any *Assithment* † made to the neareſt of Kin. It being expresly provided by the 136 *Act*, *Par.* 8. *Jac.* the 6th, That Remissions are null, unless the Party be *Assithed*, ‖ and by 157 *Act*, *Par.* 12. *Jac.* 6. And it is farther to be observed from that Act, That albeit, Respites and Remissions had been formerly granted for several enormous Crimes, yet the Defendants were ordained to be criminally persued, notwithstanding of the same;

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* *i. e. Witnessing that the Party wronged has received Satisfaction.*

† *Satisfaction.*

‖ *Satisfy'd.*

and the said Act is ratified by the 1703 Act, Par. 13. Jac. the 6th against the granting of Remissions and Respites to the Committers of Murder, Slaughter, and other attrocious Crimes therein mentioned, where there are sufficient Letters of *Slains* shewen; and that no Respite or Remission be admitted in Judgment, except the same be compounded with the Treasurer, and subscribed by him, at least past his Register: And Act 178, it is provided that no Respite or Remission be granted for Slaughter, until the Party * *skaithed* be first satisfied; and if any Respite or Remission shall happen to be granted before the Party grieved be first satisfied, the same shall be null by way of Exception, or reply without any further Declarator.

Thirdly, It is to be observed, That the Parliament having declared, that the Killing of the *Glenco-men* was a Murder under Trust; it is clear by the 51 Act, Par. 11, Jac. 6. That Murder and Slaughter of a Person under Trust, Credit, Assurance and Power of the Slayer, is Treason; so that by the said Act, these that had accession to, or were any ways † *airt and part* of the Slaughter of the *Glenco-men*, are guilty of Treason.

P. S. Sir, I have nothing further to add concerning this Matter, but that I thought it needless to trouble you with the Copies of the King's Orders, the (now Viscount) of *Stair*'s Letters, and the Depositions, because every thing in them that is probative of the Point in Question is fairly narrated in the Report of the Commission; but if you think them necessary, I will send them to you upon Notice: But for my part, I don't think them necessary to be inserted, for repeating things needlessly does but weary the Reader.

You know that there never was any Prosecution against any of those Persons charg'd with this barbarous Murder, but that on the contrary, by the Advice of some, who were then about his Majesty, several of the Officers were preferr'd, and the whole Matter slurr'd over; so that the crying Guilt of this Blood must lie upon them, and not upon the Nation, since the Parliament could do no more in it without occasioning greater Blood-shed than that they complain of.

You know likewise that by the Influence of the same Persons this Report was suppressed in K. *W.*'s Time, tho' his Majesty's Honour requir'd that it should have been publish'd.

* *Damag'd.*
† *Concern'd in.*

FINIS.

MVSEVM BRITANNICVM